

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CARLOS A. MILLER,

Plaintiff,

:

Case No. 3:10-cv-173

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

SUMMIT BEHAVIAL HEALTHCARE,

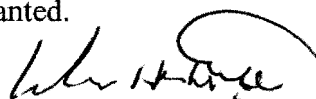
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 3), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on May 24, 2010, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be, and it hereby is, dismissed without prejudice for failure to state a claim upon which relief can be granted.

May 25, 2010.



Walter Herbert Rice
United States District Judge